

Congress of the United States
Washington, DC 20515

December 15, 2016

The Honorable Gina McCarthy
Administrator
Environmental Protection Agency
1200 Pennsylvania Avenue, N.W.
Mail Code 1101A
Washington, D.C. 20460

Lilian Dorka
Acting Director, Office of Civil Rights
Environmental Protection Agency
1200 Pennsylvania Avenue, N.W.
Mail Code 1101A
Washington, D.C. 20460

Re: Congressional Request for Immediate Action on Critical Steps to Strengthen the Title VI Compliance and Enforcement Program in this Administration

Dear Administrator McCarthy and Acting Director Dorka:

We submit this letter as an urgent echo to the requests you have heard from the environmental justice advocacy community, many of whom represent vulnerable neighborhoods in our districts. We join those advocates in urging this administration to take immediate critical steps to reform and reinforce EPA's Title VI compliance and enforcement program.

Many of us have had constituents—or organizations representing constituents—submit Title VI complaints to the EPA in the last two decades. We continue to monitor the action (and inaction) taken on these allegations of discrimination, and with the incoming Presidential administration, remain more concerned than ever that the EPA is not equipped to adequately protect communities from environmental racism. Thus, as EPA plans the transition to the incoming administration, we respectfully ask that the EPA take the following actions to protect civil rights in the environmental context before the current calendar year expires:

1. Withdraw Proposed Rule Rescinding Deadlines for Title VI Case Handling:

As we transition into the next administration, accountability is more important than ever. We request that EPA withdraw its proposed rule, 80 Fed. Reg. 77,284 (proposed Dec. 14, 2015) (Nondiscrimination in Programs or Activities Receiving Federal Assistance from the Environmental Protection Agency), which would rescind important deadlines for Title VI case handling. We strongly oppose the proposal to remove deadlines from EPA's Title VI regulations, which would have the effect of weakening accountability for investigating and processing Title VI complaints in a timely way. By removing such deadlines, EPA is diluting the only legal option impacted communities currently have to challenge discriminatory decisions and request meaningful investigation by the EPA. This sole legal recourse, and accountability in processing such complaints, will be even more important in the upcoming Administration.

2. Finalize Policy Eliminating Rebuttable Presumption of Compliance:

The rebuttable presumption of compliance has undermined Title VI enforcement for more than 25 years. The presumption creates a burden for complainants, and sends a message to recipients of federal funding that they will never be held responsible for disproportionately impacting communities on the basis of race and ethnicity. EPA is the only federal agency that has created such a presumption, and it should have no place in civil rights enforcement. Indicating some progress and awareness of this problematic position, EPA proposed a new policy and took comments in 2013 (*see Draft Policy Papers Released for Public Comment: Title VI of the Civil Rights Act of 1964: Adversity and Compliance With Environmental Health-Based Thresholds, and Role of Complainants and Recipients in Title VI Complaints and Resolution Process*, 78 Fed. Reg. 24,739 (Apr. 26, 2013)). Finalizing a policy eliminating the rebuttable presumption should be done immediately. Such a step is long overdue, and should be taken before the end of the calendar year.

3. Finalize Guidance on Title VI Compliance:

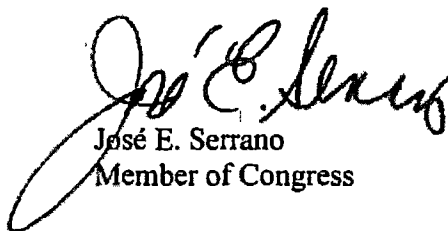
EPA's Title VI program—including compliance, processing of complaints, investigations, and enforcement—has for too long operated without substantive guidance, creating confusion amongst all stakeholders about what is required of recipients. EPA should prioritize finalizing guidance clearly spelling out requirements for recipients to be in compliance with Title VI. We stress that a “best practices” guide is *not* a substitute for actual programmatic standards, and will only add to confusion without clear programmatic guidance. EPA should make every effort to release programmatic guidance with clear requirements by the end of the year, and make certain to not simply release a “best practices” guide that will muddle the matter even further.

4. Make Findings on Pending Title VI Cases, Particularly Those in Our Districts:


A number of cases are currently pending before the Office of Civil Rights, in various stages of review. EPA should demonstrate its continuing commitment to enforcement, and to ensuring compliance with Title VI of the Civil Rights Act, by taking decisive action on the issues and cases before it—and in particular, those of high concern to many of us who represent the complainants. EPA must begin to make findings of discrimination and recommendations for compliance this year, particularly in light of the publicized admonishment by the U.S. Commission on Civil Rights shedding light on the fact that EPA has never made a finding of discrimination. The time to do so is now.

We thank you for your consideration, time, and efforts in this area of great concern to many elected officials who serve in Congress. We welcome the opportunity to discuss these recommendations, as well as the pending Title VI claims before the Office of Civil Rights, in order to assist you in advance of the new administration in any way we can.

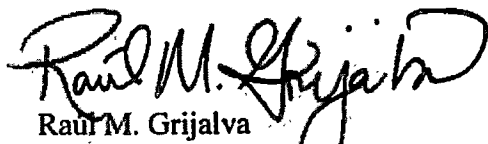
Sincerely,





José E. Serrano
Member of Congress

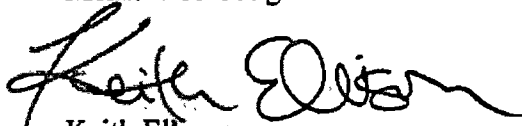



Barbara Lee
Member of Congress

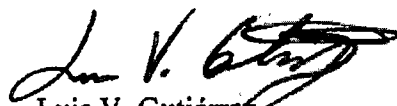

Raul M. Grijalva
Member of Congress


John Conyers, Jr.
Member of Congress

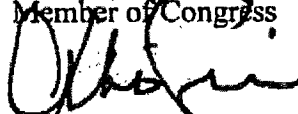

Alan Grayson
Member of Congress



Keith Ellison
Member of Congress

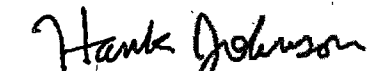

Nydia M. Velázquez
Member of Congress

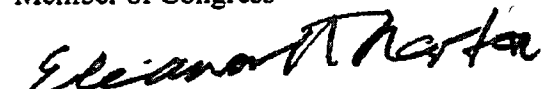

Luis V. Gutiérrez
Member of Congress

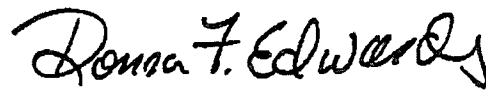

Lucille Roybal-Allard
Member of Congress

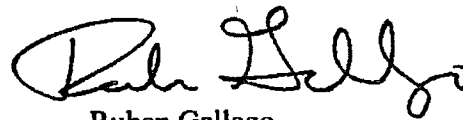

Albio Sires
Member of Congress

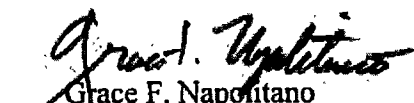

Tony Cardenas
Member of Congress

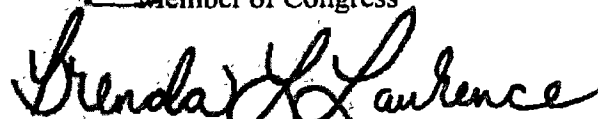

Henry C. "Hank" Johnson, Jr.
Member of Congress

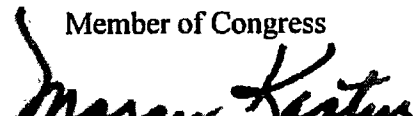

Eleanor Holmes Norton
Member of Congress

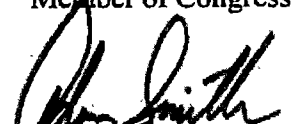

Donna F. Edwards
Member of Congress

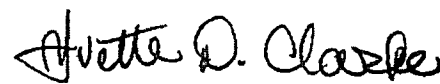

Ruben Gallego
Member of Congress


Grace F. Napolitano
Member of Congress


Brenda Lawrence
Member of Congress


Marcy Kaptur
Member of Congress


Adam Smith
Member of Congress


Yvette D. Clarke
Member of Congress

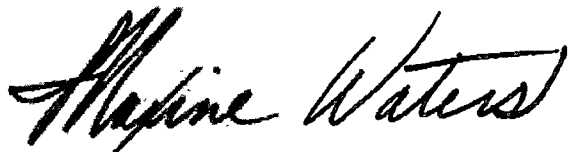


Mike Honda
Member of Congress



Ted W. Lieu
Member of Congress

cc: Matt Fritz, Chief of Staff, Environmental Protection Agency

A handwritten signature in cursive script that reads "Maxine Waters".

Maxine Waters
Member of Congress

A handwritten signature in cursive script that reads "Steve Cohen".

Steve Cohen
Member of Congress

Congress of the United States

Washington, DC 20510

December 13, 2016

The Honorable Gina McCarthy
Administrator
U.S. Environmental Protection Agency
1200 Pennsylvania Ave., NW
Washington, DC 20460

Dear Ms. McCarthy:

As Utah's Congressional Delegation, we would like to make a few comments regarding the Regional Haze Program (RHP) and the Environmental Protection Agency's (EPA) recent decision to disapprove Utah's State Implementation Plan (SIP) to address NO_x controls through an alternative to Best Available Retrofit Technology (BART). Preserving and improving visibility at our national parks is very important to Utah and its citizens, which is why the State has been working on this issue for decades. The BART alternative submitted by Utah is just the latest piece of a comprehensive strategy developed to address regional haze. Utah's Visibility Protection Program and Utah's Prevention of Significant Deterioration Program were adopted in the early 1980s to address the visibility goals established in the 1977 CAA. Since that time, Utah has worked continuously to improve visibility in its Class I areas.

Utah took a leadership role in the Grand Canyon Visibility Transport Commission, whose work was the basis for Section 309 of the Regional Haze Rule. Under Section 309, Utah developed and submitted a comprehensive SIP to reduce SO_x and NO_x emissions from the BART-eligible sources in the state, and the requirements of that SIP were implemented long before other areas of the country began the planning process. Implementation of that plan resulted in emissions reductions of SO_x and NO_x far in excess of those proposed in the plan. Those controls had an added benefit in that they also reduced mercury emissions to levels that have met all of EPA's proposed and final mercury standards.

We remind the EPA that the goal of the Regional Haze Rule (RHR), according to the Clean Air Act, is "the prevention of any future, and the remedying of any existing, impairment of *visibility* in mandatory class I Federal areas." Though we acknowledge that exposure to NO₂ has health impacts, the purpose of Utah's SIP and the RHR is to improve visibility; it neither establishes nor addresses any health-related standard. Additionally, we note that the region is currently in attainment for all health-related air quality standards, including NO₂.

We are concerned that, in its evaluation of Utah's Regional Haze SIP, the EPA did not give the deference to Utah that the RHR clearly requires in determining what controls are most effective. The RHR states, "Because each Class I area is unique, we believe States should have flexibility to assess visibility improvements due to BART controls by one or more methods, or by a combination of methods..."¹ Further, the rule states, "All five statutory factors, including *cost-effectiveness* and *expected visibility improvement* should be reflected in the level of BART control that the State implements."² The rule also reads that "States are free to determine the weight and significance to be assigned to each factor."³

¹ 70 CFR 39104-01, 39129-39130

² *Ibid.*

³ *Ibid.*

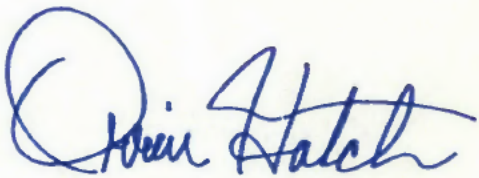
In a manner consistent with the RHR, Utah conducted the required weight-of-evidence analysis to consider all information together. Ignoring the fact that the RHR gives deference to states, the EPA evaluated each visibility metric based on its own merit and chose to weigh each of the factors differently than Utah did in its analysis. The EPA's responsibility when reviewing states' Regional Haze SIPs was to ensure states followed the statutes and laws correctly, not to reevaluate the plan in a manner inconsistent with the unique attributes of each state.

It is important that Utah be allowed to follow the rule as written because it allows the State to create a plan specific to its unique climate, chemistry, and other conditions. We note in this case that only one factor gave clear preference to the EPA-imposed Federal Implementation Plan (FIP). However, that preference showed only a 0.14 deciview improvement over the alternative that Utah proposed. For reference, 1.0 deciview is the minimum change in visibility that is perceptible to the human eye. A difference of 0.14 deciviews is not at all perceptible. In the SIP, Utah pointed out that this imperceptible improvement came at a cost of over \$700 million for implementation with an additional operational cost of over \$150 million, a point that EPA discounted out-of-hand, clearly in conflict with the requirements of the statute and rule. This point was emphasized in the recent 5th Circuit Court of Appeals stay of EPA's similar actions on the Oklahoma and Texas Regional Haze SIPs.⁴

Finally, it should be noted that this "visibility improvement" EPA uses for its justification for rejection of the State's SIP and imposition of this very expensive FIP is based solely on the output of a computer model. That model has consistently been wrong in predicting visibility benefits, and Utah provided ample evidence that the model was not working in Utah, based on years of monitoring data. In Utah's case, the modeling predicted a significant improvement in visibility due to emission reductions made during the current planning period. The monitoring shows that there has not been an equivalent, actual improvement in visibility at the mandatory Class I areas. Actual monitored observations show that the current model consistently over-predicts visibility benefits in Utah. Had Utah been allowed to rely on the use of monitoring data to inform the decisions made in the SIP, it is clear that Utah's SIP would have produced a greater visibility benefit than EPA's FIP.

Utah takes very seriously the importance of clean air and clear views of the spectacular vistas in our national parks. As we strive to protect and improve these views for our residents and Utah's millions of visitors, the EPA should work as a partner in meeting this important goal. We ask that, in light of the aforementioned points, the EPA follow the statutes established by Congress and reconsider its decision to impose a FIP in Utah.

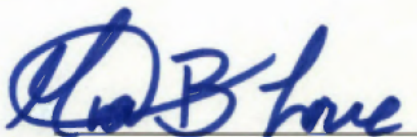
Sincerely,



Orrin G. Hatch
United States Senator



Jason Chaffetz
Member of Congress



Mia Love
Member of Congress



Chris Stewart
Member of Congress

⁴ (State of Texas vs. EPA, 16-60118)

A stylized, cursive handwritten signature in blue ink, likely belonging to Rob Bishop. The signature is fluid and extends horizontally to the right.

Rob Bishop
Member of Congress

A stylized, cursive handwritten signature in blue ink, likely belonging to Michael S. Lee. The signature is fluid and extends horizontally to the right.

Michael S. Lee
United States Senator



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C. 20460

JAN 17 2017

OFFICE OF
AIR AND RADIATION

The Honorable Orrin G. Hatch
United States Senate
Washington, D.C. 20510

Dear Senator Hatch:

Thank you for your letter of December 13, 2016, to U.S. Environmental Protection Agency Administrator Gina McCarthy, regarding the regional haze program and the EPA's partial approval and partial disapproval of Utah's state implementation plan (SIP) revision and promulgation of a federal implementation plan published in the *Federal Register* on July 5, 2016. The Utah Congressional Delegation's letter requests the agency to reassess its decision to promulgate this federal plan. The Administrator asked that I respond on her behalf.

As you know, the regional haze program helps to protect clear views in national parks, such as Canyonlands National Park, and wilderness areas. Vistas in these areas are often obscured by regional haze caused by emissions from numerous sources located over a wide geographic area. Over the past decade, the Regional Haze Rule has helped to reduce emissions of visibility-impairing pollutants and improve visibility. The EPA recognizes and appreciates Utah's visibility protection efforts throughout the history of the regional haze program.

As a point of clarification with regard to your letter, section 110 of the Clean Air Act (CAA) requires that the EPA review the substance of SIP submittals to determine whether they are consistent with the applicable statutory and regulatory requirements. Furthermore, and consistent with section 110(c) of the CAA, when a SIP submittal is not consistent with these requirements, the EPA must disapprove the submittal and promulgate a federal plan within 2 years if the state does not provide an approvable revision of its plan.

The EPA had previously issued a partial disapproval for Utah's regional haze plan in 2012, and thus the CAA required the EPA to issue a federal plan if the state did not provide an approvable plan revision to resolve the remaining deficiencies. In 2015, Utah submitted a revised plan that relied on an alternative to source-specific Best Available Retrofit Technology (BART) for four electric generating units: Hunter Units 1 and 2 and Huntington Units 1 and 2. States have the option to implement alternative measures in lieu of BART if they can demonstrate that the alternative would result in greater reasonable progress toward improving visibility than would be achieved through the installation and operation of BART.¹ However, as fully explained in our recent action, when reviewing Utah's 2015 SIP revision, the EPA found that the evidence did not clearly demonstrate that Utah's BART alternative provides for greater

¹ See, e.g., 40 CFR § 51.308(e)(2).

visibility improvement than BART.² Because Utah's alternative strategy did not meet all of the relevant statutory and regulatory requirements, the EPA was obligated to partially disapprove the state's SIP revision and promulgate a federal plan in its place.

The EPA's partial disapproval of Utah's SIP submittal and federal plan are pending judicial review before the United States Court of Appeals for the Tenth Circuit; the agency has also received, and is evaluating, petitions for reconsideration of its action from the state as well as the owners of the affected electric generating units. The EPA thus fully expects your concerns will be addressed as appropriate through these existing mechanisms.

Again, thank you for your letter. If you have further questions, you may contact Debra H. Thomas, Acting Region 8 Administrator, at (303) 312-6298 or your staff may contact Monica Morales, Acting Air Program Director, at morales.monica@epa.gov or at (303) 312-6936 or Matthew Davis in the EPA's Office of Congressional and Intergovernmental Relations at davis.matthew@epa.gov or at (202) 564-1267.

Sincerely,

A handwritten signature in blue ink, appearing to read "Janet G. McCabe", with a stylized flourish at the end.

Janet G. McCabe
Principal Deputy Assistant Administrator

² 81 FR 43896, July 5, 2016.

Congress of the United States

Washington, DC 20510

February 10, 2017

Acting Administrator Catherine McCabe
U.S. Environmental Protection Agency
1200 Pennsylvania Avenue, N.W.
Washington, DC 20460

Re: Docket ID No. EPA-HQ-OAR-2016-0202

Dear U.S. EPA Acting Administrator McCabe:

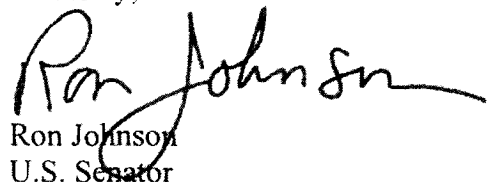
We are writing regarding the proposed rule for the implementation of the 2015 U.S. Environmental Protection Agency's National Ambient Air Quality Standards (NAAQS) ozone nonattainment classification and the State Implementation Plan (SIP) requirements. The 2015 rule lowered the parts-per-billion (ppb) threshold to an unrealistic level and will result in harsh, lasting economic impacts in those communities where faulty air quality concerns are raised.

Our offices are closely working with affected stakeholders to try to change the nonattainment designation of Sheboygan County, Wisconsin, under the 2008 and the final 2015 ozone NAAQS rulemaking. The State of Wisconsin and Sheboygan County have installed a second monitor in Sheboygan County that clearly shows that the data from the current EPA monitor (Kohler Andrae ozone monitor, Site ID: 55-117-0006) is measuring emissions from outside of Wisconsin. Unfortunately, we understand that, to date, EPA personnel have been unwilling or unable to revisit the original boundary decisions that largely led to Sheboygan County's faulty nonattainment designation. After meeting with state and regional officials and learning how the county's designation came to be, along with the additional data collected by the second monitor, we feel compelled to share our deep concerns.

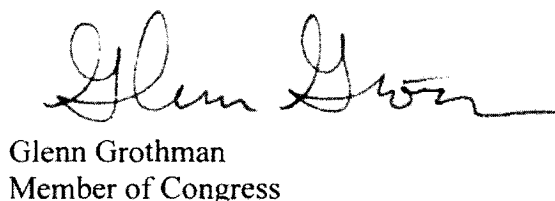
We request you direct agency officials to take immediate steps to ensure that Sheboygan County is no longer unfairly classified with an ozone nonattainment designation. Specifically, we find fault with the EPA monitor that is being used for air quality monitoring results and therefore, at the very least, request EPA alter the boundary lines of the Sheboygan nonattainment area in question.

Thank you for your prompt consideration of our request.

Sincerely,



Ron Johnson
U.S. Senator



Glenn Grothman
Member of Congress



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C. 20460

APR 24 2017

OFFICE OF
AIR AND RADIATION

The Honorable Ron Johnson
United States Senate
Washington, D.C. 20510

Dear Chairman Johnson:

Thank you for your letter of February 10, 2017, to the U.S. Environmental Protection Agency regarding the designation of Sheboygan County, Wisconsin for the National Ambient Air Quality Standards (NAAQS) for ground-level ozone.

We will continue to work with Wisconsin on appropriate designations and boundaries for all areas in Wisconsin, including Sheboygan County. As part of the designation process, the EPA works closely with states, tribes and local governments to identify areas that meet or do not meet the ozone standards. States and tribes, including Wisconsin will have an opportunity to provide additional information for the agency to consider before making final designation decisions. We will consider the concerns you have raised as we move forward.

Again, thank you for your letter. If you have further questions, please contact me or your staff may contact Matthew Davis in the EPA's Office of Congressional and Intergovernmental Relations at davis.matthew@epa.gov or at (202) 564-1267.

Sincerely,

A handwritten signature in black ink, appearing to read "Sarah Dunham", with a long horizontal line extending to the right.

Sarah Dunham
Acting Assistant Administrator

Eades, Cassaundra

From: Messer, Ronald <Ronald.Messer@mail.house.gov>
Sent: Tuesday, March 14, 2017 1:26 PM
To: OCIRmail
Subject: Congressman Francis Rooney Congressional Inquire
Attachments: Botana, Adam.pdf; Congressman Francis Rooney Congressional Email traffic.docx

To whom it concerns,

Botana, Adam

(b) (6)

Congressman Francis Rooney has a vested interest in obtaining information regarding his constituent Mr. Bontana regarding his permit issue. Please feel free to contact me with any questions regarding this matter.

Respectfully,

Ronald D. Messer
OEF/OND Veteran
District Case Worker
U.S. Representative Francis Rooney (FL-19)
1039 SE 9th Ave., Suite 308|Cape Coral, FL 33990
Office: (239) 599-6037
francisrooney.house.gov



Ronald D. Messer



Office of Congressman Francis Rooney
Privacy Authorization Form

The Privacy Act of 1974 prevents agencies from releasing information about you to anyone without your written consent. Therefore, our office must have your written authorization before we can initiate an inquiry with a federal agency on your behalf.

CONSTITUENT FULL NAME: Adam Botana

TODAY'S DATE: 3-6-17 CONTACT TELEPHONE: (b) (6)

DATE OF BIRTH: (b) (6) SSN: (b) (6)

CURRENT ADDRESS: (b) (6)

CONTACT EMAIL: (b) (6)

CASE/CLAIM/ID NUMBER: _____

BRANCH OF SERVICE/RANK (IF APPLICABLE): _____

If you are currently working with another Congressional or Federal office please indicate which one:

(b) (6)

I, (b) (6), hereby authorize Congressman Francis Rooney and his staff
(signed name)
to work on my behalf with **any federal agency** relevant to the matter described, to receive and review
any information contained in my file and, if necessary, to forward any pertinent correspondence sent by
me regarding this matter.

Congressman Francis Rooney
Attn: Constituent Services

1039 SE 9th Avenue
Suite 308
Cape Coral, FL 33990
Phone: 239-599.6033
Fax: 239-573-7629

3299 Tamiami Trail East
Suite 105
Naples, FL 34112
Phone: 239-252-8065

Please provide a brief description of your concern and how you would like Congressman Francis Rooney to help. If needed, attach additional pages along with relevant documentation that will assist us with your case.

(Please mail or fax the form to the district office closest to you to ensure timely correspondence.)

From: Nicholas Carr (b) (6)
Date: Monday, February 20, 2017 at 9:10 PM
To: Agustina Andisco (b) (6)
Cc: "Pardal, Agustina" <Agustina.Pardal@mail.house.gov>
Subject: Fwd: Project Status

Passing this on. Includes a reference number:

As you know the Corps permit has not been issued. The reference number you need to mention to Congressman Rooney's office is SAJ-2016-00740.

----- Forwarded message -----

From: Peter Simmons (b) (6)
Date: Mon, Feb 20, 2017 at 6:39 PM
Subject: Fwd: Project Status
To: Nicholas Carr (b) (6)
Cc: Nick Carr <Nick@francisrooney.com>

Nick,

Passing along the below email.

Thanks,

Peter

Peter Simmons

Begin forwarded message:

From: Adam Botana (b) (6)
Date: February 20, 2017 at 5:53:16 PM EST
To: Peter Simmons (b) (6)
Subject: Fwd: Project Status

Hey Peter here's some more info!
Thanks

Adam Botana
Head Boat Washer
BayWater Boat Club & Rentals
(b) (6)

Begin forwarded message:

From: Kris Thoenke <kthoenke@cecifl.com>

Date: February 20, 2017 at 2:31:03 PM EST

To: Adam Botana <(b) (6)>

Cc: Michael Poff <mpoff@cecifl.com> (b) (6)

Subject: Re: Project Status

Adam,

Per your request attached is the DEP's Environmental Resource Permit (ERP) for the docks.

As you know the Corps permit has not been issued. The reference number you need to mention to Congressman Rooney's office is SAJ-2016-00740. This is the project that they can help expedite for you. You should mention that these lengthy delays are typical for projects on SW Florida so the delays are not due to any "issue" the Corps has with you or this project.

Here a timeline of the milestones for this permit application:

1. ERP application submitted to DEP on 3/8/2016 and transmitted by DEP to USACE on same day.
2. Request for additional information needed for publishing the Public Notice received on 4/28/2016. Responses submitted 5/27/2016
3. Public Notice published 8/25/2016 (170 days since receiving the ERP application)
4. Consultation with NMFS initiated by USACE on 9/2/2016. Response from NMFS to USACE was to be delivered to USACE on 2/17/2017.
5. As of 2/20/2017, we are at day 349 since the Corps received the ERP application.

Kris W. Thoenke, Ph.D., CEP
Senior Scientist
Coastal Engineering Consultants, Inc.
3106 South Horseshoe Drive
Naples, FL 34104-6137
www.coastalengineering.com

239 643-2324 (office)

(b) (6) (cell)

On Fri, Feb 17, 2017 at 11:08 AM, Adam Botana <(b) (6)> wrote:
I need all our permits or reference numbers

Adam Botana
Head Boat Washer
BayWater Boat Club & Rentals

(b) (6)

On Feb 17, 2017, at 9:30 AM, Kris Thoemke <kthoemke@cecifl.com> wrote:

Adam,

We understand your frustration with the permitting process as we see these lengthy delays when a Corps permit is involved. Much of the delay results from when the Corps must consult with NMFS. These consultations have been taking a year or longer to complete. There reason we are given for this lengthy review time is the NMFS requirement for multiple levels of review and a lack of staff to process the hundreds of reviews the NMFS processes.

The only way we have seen projects move faster is when our client contacts their congressman and request that they make an inquiry into the delay.

Kris W. Thoemke, Ph.D., CEP
Senior Scientist
Coastal Engineering Consultants, Inc.
3106 South Horseshoe Drive
Naples, FL 34104-6137
www.coastalengineering.com

239 643-2324 (office)
(b) (6) (cell)

On Fri, Feb 17, 2017 at 9:07 AM, Adam Botana <(b) (6)> wrote:
Good morning Kris a check was sent out yesterday for the aging pass due. My Father said this is last check until he has permits in hand. It's been over a year and thousands of dollars. You can understand his frustration.
Looking forward to approval.

Thanks

Adam Botana
Head Boat Washer
BayWater Boat Club & Rentals
(b) (6)

On Feb 17, 2017, at 8:52 AM, Kris Thoemke <kthoemke@cecifl.com> wrote:

Adam,

Please advise us when payment will be made on the outstanding invoices. We did not receive a response to my email to you on Feb 2 concerning this and have not received a payment.

Thanks,

Kris

Kris W. Thoemke, Ph.D., CEP
Senior Scientist
Coastal Engineering Consultants, Inc.
3106 South Horseshoe Drive
Naples, FL 34104-6137
www.coastalengineering.com

239 643-2324 (office)

(b) (6) (cell)

On Thu, Feb 2, 2017 at 11:15 AM, Kris Thoemke <kthoemke@cecifl.com> wrote:
Adam,

We continue to request updates from the Corps on the status NMFS review of your project. This has been the hold-up for many months now. The most recent response we received to our inquiry on the status of the NMFS review came on Jan 20. The message we received is that the Corps is checking on the status of the concurrence letter with NMFS. I have made another inquiry this morning in why the letter has not been processed. We will forward you the response we receive.

Also, as the attached Statement indicates, there are some aging past due amounts. The company President is asking that you please make payment on these outstanding invoices.

If you have any questions, let me know.

Thanks,

Kris

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DAN NEWHOUSE
2nd District, Washington
www.mynewhouse.house.gov



First Congressional District Office Building
Washington, DC 20545
Office: (202) 225-2816
Fax: (202) 225-3251

3100 George Washington Way
Suite 130
Richland, WA 99354
Office: (509) 713-7374

Appellate District Office
Suite 400
Yakima, WA 99201
Office: (509) 455-3043

Van Cleave
Nuclear Defense Caucus

Congress of the United States House of Representatives

March 15, 2017

HOUSE NATURAL
RESOURCES COMMITTEE
SUBCOMMITTEE ON FEDERAL LANDS

SUBCOMMITTEE ON
WATER, POWER, AND OCEANS

HOUSE COMMITTEE ON RULES

SUBCOMMITTEE ON
LEGISLATION, RULES, AND
ORGANIZATION OF THE HOUSE

SUBCOMMITTEE ON RULES AND
ORGANIZATION OF THE HOUSE

HOUSE AGRICULTURE COMMITTEE

SUBCOMMITTEE ON BIODIVERSITY,
HORTICULTURE, AND RESEARCH

SUBCOMMITTEE ON
LIVESTOCK AND FORESTRY ADMINISTRATION

Associate Administrator for Congressional and Intergovernmental Relations
Environmental Protection Agency
1200 Pennsylvania Avenue, NW, Room 3426 WJC
Washington, DC 20460-0001

Dear Sir or Madam,

Scott Musser has contacted Congressman Newhouse's office in hopes of resolving a matter with which you might be able to provide assistance. Enclosed is a copy of Mr. Musser's Privacy Release Form which allows our office to request and obtain information on his behalf.

Mr. Musser contacted our office concerning a letter, and enclosed Clean Air Act Mobile Source Expedited Settlement Agreement, which he received from the United States Environmental Protection Agency (EPA), Office of Enforcement and Compliance Assurance, dated February 16, 2017. That particular letter describes certain violations associated with Docket No. CAA-17-8349, and further addresses the penalty associated with those particular violations. Mr. Musser is requesting answers to the following questions:

- How did the EPA determine the penalty amount of \$16,500? More specifically, we are requesting a detailed explanation that provides a line by line breakdown of the total assessed penalty.
- How can Mr. Musser mitigate the imposed penalty?

In addition to the above questions, Mr. Musser is officially requesting an extension of the CAA Mobile Source Expedited Settlement Agreement.

Your prompt consideration would be greatly appreciated as Mr. Musser is eager to resolve this matter as soon as possible. A copy of your response will be sent to Congressman Newhouse's constituent. Please send your formal response to Josh.Lozano@mail.house.gov or to the following address by mail:

Office of Congressman Dan Newhouse
Attn: Josh Lozano
3100 George Washington Way, Suite 130
Richland, WA. 99354-1663

Should you have any questions, please feel free to contact me at (509) 713-7374.

Sincerely,

Josh Lozano
Senior District Representative

Office of Congressman Dan Newhouse

PRIVACY RELEASE FORM

Authorization in Accordance with the 1974 Privacy Act

Name: Scott Musser Date of Birth: (b) (6)

Address: (b) (6)

City: (b) (6) State: (b) Zip: (b)

Home Phone: () (b) (6)

Other Phone: () 509 581 2220

Email: scott@mbauction.com

Social Security Number/ V.A Number / Alien Number : _____
(Please provide the appropriate identification number pertaining to the assistance which you are seeking our help)

Have you contacted any other elected official regarding this case? Yes/No (circle one)

If so, who? _____

Please describe the specific information you are requesting or the exact nature of the problem you are experiencing. Send copies of any relevant information. (DO NOT SEND ORIGINALS.) Use extra paper if necessary.

See Attached: _____

Note: The Privacy Act requires the completion of this form in order for Congressman Newhouse or his representative to receive information on behalf of his constituents. I hereby authorize Congressman Newhouse or his representative to receive information on my behalf and or to discuss my records with the agency involved.

SIGNATURE:  Date: 03.14.17

Musser Bros. Inc. EPA Issue.

In the fall of 2016, we attempted to import three forklifts and 10 Stihl power saws. We have previously imported items in 2003, with no issues.

Upon landing in Norfolk, the container containing our items was subject to inspection. It was discovered that one of the forklifts met with current EPA guidelines, one did at the time of manufacture, but did not currently and one machine did not meet EPA guidelines. Additionally, the 10 Stihl saws did not meet EPA criteria.

We were notified by customs and notified that we could either forfeit the items to seizure, or re-export them. We re-exported the entire load back to England, where it originated.

On or about February 21, we received a letter (see attached) from the EPA, demanding expedited payment of penalties in the amount of \$16,500. This in essence was an "expedited" handling of the case and it was represented that we should immediately pay or face increased penalties.

On or about February 28, a call was received in my office in Nampa, Idaho, from a Mr. David Alexander, Attorney for the EPA. Also on the line was a couple of his "technicians." They were calling to confirm we have received the letter and ask for our intentions. I was conferenced into the phone call and notified them that we were having their letter reviewed by counsel, after which they cut the phone call short.

My attorney and I have had two subsequent conversations with Mr. Alexander, attempting to:

1. Discover if there is a way we can minimize the penalty
2. Discover how the penalty was arrived at.

Both times, we have been told that they will not let us know how the penalty was arrived at, nor is the penalty negotiable.

My points for the Congressman is:

1. We don't dispute that we attempted to import items that did not meet EPA criteria.
2. We do feel that the penalty, and the heavy-handed way in which they are handling this is onerous. The penalty does not fit the crime.
3. We agree that we most likely owe some sort of penalty, however, the problem was immediately remedied by export. The total value of the items in the container was in the range of \$75,000 and \$35,000 was the machine that was in compliance. The Stihl saws were valued at approximately \$400 each.
4. The EPA is basically using the hammer of a stronger penalty (\$45,000+) in order to induce us to just pay their \$16,500 penalty. This is totally wrong on many fronts.

Thank you for your attention to this.



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C. 20460

SEP 11 2017

OFFICE OF
ENFORCEMENT AND
COMPLIANCE ASSURANCE

Scott Musser
President and Registered Agent
Musser Bros. Inc. (dba Rathbun Musser, Inc.)
3035 Rickenbacker Drive
Pasco, Washington, 99301

Re: Docket No. CAA-17-8349


Dear Mr. Musser:

An authorized representative of the United States federal government conducted inspections to determine your company's compliance with the Clean Air Act (CAA) and regulations promulgated thereunder. The details of this inspection are outlined in the enclosed Clean Air Act Mobile Source Expedited Settlement Agreement (Agreement). As a result of the inspection, it was determined that your company failed to comply with the CAA and the associated regulations. The Agreement describes the violations.

You may resolve violations using an expedited process. The United States Environmental Protection Agency (EPA) is authorized to enter into the Agreement under the authority vested in the EPA Administrator by Section 205(c)(1) of the CAA, 42 U.S.C. § 7547(c)(1). After the Agreement becomes effective, EPA will take no further civil action against your company for the violation(s) described in the Agreement. However, EPA does not waive any rights to take an enforcement action for any other past, present, or future violations of the CAA or of any other federal statute or regulation.

If, with 30 calendar days of receipt of the enclosed Agreement you do not sign and return it as presented and meet all of your obligations under the Agreement, the proposed Agreement is withdrawn without prejudice to EPA's ability to file any other enforcement action for the violation(s) identified in the Agreement and seek penalties of up to \$44,539 per engine in violation. Please refer to "CAA Mobile Source Expedited Settlement Agreement Instructions," attached, for instructions on accepting this Agreement.

Sincerely,


Phillip A. Brooks, Director
Air Enforcement Division

Enclosure

Enclosure

CLEAN AIR ACT MOBILE SOURCE EXPEDITED SETTLEMENT AGREEMENT

DOCKET NO. CAA-17-8349 Respondent: Musser Bros. Inc. (dba Rathbun Musser, Inc.)
3035 Rickenbacker Drive
Pasco, Washington, 99301

1. The parties enter into this Clean Air Act Mobile Source Expedited Settlement Agreement (Agreement) in order to settle the civil violations discovered as a result of the inspection specified in Table 1, attached, incorporated into this Agreement by reference. The civil violations that are the subject of this Agreement are described in Table 2, attached, incorporated into the Agreement by reference, regarding the vehicles/engines specified therein.
2. Respondent admits to being subject to the Clean Air Act (CAA) and its associated regulations and that the United States Environmental Protection Agency (EPA) has jurisdiction over the Respondent and the Respondent's conduct described in Table 2. Respondent does not contest the findings detailed therein, and waives any objections Respondent may have to the EPA's jurisdiction.
3. Respondent consents to the payment of a penalty in the amount of \$16,500, further described in Table 3, attached, incorporated into this Agreement by reference. Respondent agrees to follow the instructions in "CAA Mobile Source Expedited Settlement Agreement Instructions," attached, incorporated into this Agreement by reference. Respondent certifies that the required remediation, detailed in Table 3, has been carried out.
4. By its first signature below, the EPA approves the findings resulting from the inspection and alleged violations set forth in Table 1 and Table 2. Upon signing and returning this Agreement to the EPA, Respondent consents to the terms of this Agreement without further notice. Respondent acknowledges that this Agreement is binding on the parties signing below, and becomes effective on the date of the EPA Air Enforcement Division Director's ratifying signature.

APPROVED BY EPA:


Phillip A. Brooks, Director, Air Enforcement Division

Date: 2/15/2017

APPROVED BY RESPONDENT:

Name (print): _____

Title (print): _____

Signature: _____

Date: _____

RATIFIED BY EPA:

Phillip A. Brooks, Director, Air Enforcement Division

Date: _____

Table 1 - Inspection Information

Entry/Inspection Date(s):		Docket Number:	
December 14, 2016		C A A - 1 7 - 8 3 4 9	
Inspection Locations:		Entry/Inspection Number(s)	
Port of Norfolk		5 8 1 - 7 5 5 9 3 4 3 1	
Address:			
420 Woodlake Dr.			
City:		Inspector(s) Name(s):	
Chesapeake		Amelie Isin	
State:	Zip Code:	EPA Approving Official:	
VA	23320	Phillip A. Brooks	
Respondent:		EPA Enforcement Contact:	
Musser Bros. Inc. (dba Rathbun Musser, Inc.)		David Alexander, Attorney, (202) 564-2109	

Table 2 - Description of Violation and Vehicles/Engines

The 12 engines described below and imported by Musser Bros. Inc. (dba Rathbun Musser, Inc.) (Subject Engines) were neither covered by a certificate of conformity nor exempt from the Clean Air Act's certification requirements at the time of importation. As a result, by importing the Subject Engines into the United States, Musser Bros. Inc. (dba Rathbun Musser, Inc.) committed 12 violations of Clean Air Act sections 203(a)(1) and 213(d), 42 U.S.C. §§ 7522(a) and 7547(d), and 40 C.F.R. § 1068.101(a)(1).

Equipment Description	Engine Manufacturer	Model	Alleged Engine Family	Entry Number(s)	Quantity
Quick-cut Saw	Stihl	TS410	NONE	581-75593431	10
Forklift	Perkins	520	7PKXL04.4RE1	581-75593431	2

Table 3 - Penalty and Required Remediation

Penalty	\$16,500
Required Remediation	Rathbun Musser, Inc. must export all of the Subject Engines to a country other than Canada or Mexico, and provide the EPA (sent to isin.amelie@epa.gov) with a report either documenting the exportation or proving that it has no Subject Engines in its inventory.

CAA MOBILE SOURCE EXPEDITED SETTLEMENT AGREEMENT INSTRUCTIONS

Within 30 days from your receipt of the Agreement, you must pay the penalty using one of the following methods:

Payment method 1 (electronic): Pay online through the Department of the Treasury using WWW.PAY.GOV. In the Search Public Form field, enter SFO 1.1, click EPA Miscellaneous Payments - Cincinnati Finance Center and complete the SFO Form Number 1.1. The payment shall be identified with case number CAA-17-8349. Also send a photocopy of the signed agreement and a copy of the payment receipt to the address in payment method 2, below.

Payment method 2 (check): Mail, via certified mail, a certified check payable to the United States of America marked with the case name, Musser Bros. Inc. (dba Rathbun Musser, Inc.), and docket number CAA-17-8349, with a photocopy of the signed agreement to:

U. S. Environmental Protection Agency Fines and Penalties
Cincinnati Finance Center
P.O. Box 979077
St. Louis, MO 63197-9000
Attn: CAA-16-8349

Within 30 days from your receipt of the Agreement, you must also send the original, signed Agreement, the report detailing your corrective action(s), and proof of payment (meaning, as applicable, a photocopy of the original certified penalty check or confirmation of electronic payment) via CERTIFIED MAIL to:

Cassandra Barnes, Mail Code 2242A
Air Enforcement Division
U.S. Environmental Protection Agency Headquarters
1200 Pennsylvania Ave., NW
Washington, DC 20460

If you have any questions or would like to request an extension, you may contact Cassandra Barnes of the Mobile Source Enforcement Branch at (202) 564-2414. EPA will consider whether to grant an extension on a case-by-case basis. EPA will not accept or approve any Agreement returned more than 30 days after the date of your receipt of the Agreement unless an extension has been granted by EPA. If you believe that the alleged violations are without merit (and you can provide evidence contesting the allegations), you must provide such information to EPA as soon as possible but no later than 30 days from your receipt of the Agreement.

Unless an extension has been granted by EPA, if you do not sign and return the Agreement with proof of payment of the penalty amount and a report detailing your corrective action(s) within 30 days of your receipt of the Agreement, the Agreement is automatically withdrawn, without prejudice to EPA's ability to file an enforcement action for the above or any other violations. Failure to return the Agreement within the approved time does not relieve you of the responsibility to comply fully with the regulations, including correction of the violations that have been specifically identified in the enclosed form. If you decide not to sign and return the Agreement and pay the penalty, EPA may pursue more formal enforcement measures to correct the violation(s) and seek penalties of up to \$44,439 per vehicle/engine in violation.



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C. 20460

APR 20 2017

OFFICE OF
ENFORCEMENT AND
COMPLIANCE ASSURANCE

The Honorable Dan Newhouse
U.S. House of Representatives
Attn: Josh Lozano
3100 George Washington Way, Suite 130
Richland, Washington 99354

Dear Congressman Newhouse:

Thank you for your letter of March 15, 2017, to the U.S. Environmental Protection Agency, regarding our ongoing enforcement action against Musser Bros, Inc. (dba Rathburn Musser, Inc.). This case concerns the company's alleged civil violations committed by importing engines and equipment that do not meet the requirements of the Clean Air Act.

On behalf of your constituent, Scott Musser, you requested an extension of time for the company to respond to the Expedited Settlement Agreement that we presented to the company, and for information on the formulation of the proposed civil penalty. EPA enforcement personnel continue to be in touch with the legal counsel retained by Musser Bros., Inc., and have already provided that counsel with an extension and information on how we calculated the penalty.

Again, thank you for your letter. If you have further questions, please contact me or your staff may contact Raquel Snyder in the EPA's Office of Congressional and Intergovernmental Relations at Snyder.Raquel@epa.gov or 202-564-9586.

Sincerely,

A handwritten signature in black ink, appearing to read "L. E. Starfield".

Lawrence E. Starfield
Acting Assistant Administrator

Congress of the United States
Washington, DC 20515

March 16, 2017

The Honorable Scott Pruitt
Administrator
Environmental Protection Agency
1200 Pennsylvania Avenue, NW
Washington, DC 20460

Dear Administrator Pruitt:

As you seek to refocus the Environmental Protection Agency (EPA) on its statutory mandates as well as core missions and programs, we write to bring your attention to a range of issues that are negatively affecting growth and prosperity in Alaska, with little to no commensurate benefit to the environment. We appreciate your engagement on these issues during your confirmation process, and look forward to working with you to address them and other regulatory burdens that are causing harm in our home state.

We greatly appreciate the work you have already done to initiate an overhaul of the agency's "Waters of the United States" regulation, to extend the comment period for a proposed rule that would impose duplicative financial assurances on hardrock mines, and to streamline the permitting process for important energy infrastructure, including the creation of Regulatory Reform Officers.

Clean Drinking Water

The crisis in Flint, Michigan exposed nationwide problems with lead contamination in drinking water. Dozens of water systems in Alaska exceed EPA's lead limits. These elevated lead levels are extremely problematic in our rural communities. For example, the only school in Newtok, a Yup'ik community with about 380 residents, exceeded federal lead limits last year. Safe drinking water for every American, particularly Alaska's rural residents, must be a priority for EPA under your direction. As such, funding key programs that provide grants and loans to municipalities and poorly served rural communities is vital to achieving this priority.

Rural Sanitation

Basic sanitation infrastructure that is taken for granted in much of the United States still presents on-going serious challenges in Alaska. According to the Alaska Department of Environmental Conservation (ADEC), over 30 Alaska communities still lack running water or flushing toilets.

As a result, many Alaskans must use “honey buckets”¹ and “washeterias.”² Last year’s Water Resources Development Act authorized a grant program to help communities without infrastructure obtain first-time access to indoor plumbing and to provide needed assistance for aging and outdated infrastructure in rural Alaskan communities. Without these basic necessities, Alaskans face real and devastating health consequences. ADEC reports that the lack of in-home water and sewer service in rural Alaska causes severe skin infections and respiratory illnesses and that residents of Southwest Alaska suffer rates of invasive pneumococcal disease that are among the highest in the world. During your confirmation hearing you committed to working with Congress to ensure that programs under the EPA’s authority, like the ones passed in last year’s Water Resources Development Act, are funded. We look forward to working with you to bring basic sanitation infrastructure to Alaskans who do not currently have these essential services.

Waters of the United States Rule

The economic harm to Alaska if the last administration’s “Waters of the United States” or “WOTUS” rule is left in place cannot be overstated. This rule broadly defined which waters are subject to regulation under the Clean Water Act. This is deeply problematic for Alaska, which contains over 60 percent of the nation’s jurisdictional waters and approximately 65 percent of the nation’s wetlands. If the WOTUS rule is implemented in its current form, these totals will certainly increase and subject a wide range of economically beneficial activities to onerous regulatory requirements. On February 28, 2017, the President issued an executive order directing EPA and the Army Corps of Engineers to review the rule in line with the policy of “ensur[ing] that the Nation’s navigable waters are kept free from pollution, while at the same time promoting economic growth, minimizing regulatory uncertainty, and showing due regard for the roles of the Congress and the States under the Constitution.”³ We request that EPA continue to review the WOTUS rule and draft a new rule that is faithful to the text of the Clean Water Act and intent of Congress, while appropriately balancing environmental protection with economic growth.

Small Remote Incinerators

EPA’s Federal Plan for Commercial and Industrial Solid Waste Incineration (CISWI) units adversely impacts Alaskan entities that use small remote incinerators (SRIs) to dispose of waste in remote areas where traditional disposal methods are unavailable. EPA’s Plan impacts all remote development in Alaska, including energy and mining, and could also impact tourism and other industries in the future. The very same SRIs that EPA is proposing to ban in rural parts of our state currently operate in National Parks in Alaska and are exempted from the Plan because they are government owned. SRIs with such *de minimus* impact that they are allowed in a National Park should also be permissible in remote parts of our state. The alternative to SRIs is that remote sites will be forced to store their waste, which risks attracting wildlife, and then helicopter or barge the waste out – a far worse impact on the environment than very small

¹ ADEC’s Division of Water notes that many households in rural Alaska use a rudimentary toilet known as a “honey bucket” in which a bucket lined with a plastic bag is used to collect urine and feces. These plastic bags of human waste are then disposed of in sewage lagoons.

² Washeterias are central water points where village residents can access running water for tasks such as bathing and washing clothes.

³ Presidential Executive Order On Restoring The Rule Of Law, Federalism, And Economic Growth By Reviewing The “Waters Of The United States” RULE, 2017 WL 764940, at *1

amounts of incineration. We request that EPA recognize the unique geography and challenges of Alaska and work with us to exempt the state from the SRI requirements in CISWI.

Fish Grinding

Currently, pursuant to EPA's regulations, all onshore Alaska facilities (except those in Kodiak and Dutch Harbor, where there are documented water quality impacts) are permitted to discharge seafood waste after grinding to one-half inch "in all dimensions." However, no available technology guarantees grinding to one-half inch "in all dimensions" 100 percent of the time. The grinders that the seafood plants use are "designed" to grind to one-half inch, but because of the nature of the waste material, it is impossible to always comply with this requirement. It is also our understanding that EPA is considering changing its regulations to require that facilities in certain locations (Ketchikan, Petersburg, Cordova, Anchorage, Sitka and the Kenai Peninsula) screen their waste instead of grinding. This would impose significant additional costs on those facilities, without any documented water quality benefits, and could result in the closing of smaller processors. Although permits for onshore facilities are issued by the State of Alaska, those permits are required to incorporate EPA's regulations. Processing vessels operating in waters offshore of Alaska are subject to the same one-half inch grinding requirement, but there are no documented water quality issues that require such grinding. The delegation looks forward to working with you to find a reasonable, common sense resolution to onshore and offshore fish grinding issues as soon as possible.

PM 2.5

Because of the extreme cold and its location, being surrounded by higher terrain, Fairbanks, Alaska has struggled to meet EPA's air quality standards for particulate matter. Until a reliable supply of natural gas is available to the community, residents will be forced to heat with oil or wood stoves that release small smoke particles. EPA is now proposing penalties on the community under the Clean Air Act for noncompliance. We respectfully request that EPA work with us to improve air quality in Fairbanks through mechanisms like the Targeted Airshed Grants program and that the Agency delay those penalties because of the extraordinary circumstances confronting Fairbanks.

Preemptive/Retroactive Permit Vetoes

Alaska is blessed with an almost unparalleled abundance of natural resources. Our state has successfully balanced resource development with environmental stewardship for decades, but regulatory stability is critical to drawing private investment. As such, the delegation respectfully requests that the EPA reverse its recent pattern of preemptive and retroactive vetoes and instead commit to following the permitting processes as specified in law. Both preemptive and retroactive vetoes undermine the reliability and fairness of the permitting process, which exists to ensure due process. The permitting process is designed to fully vet issues by providing applicants with the opportunity to make their case and allowing relevant agencies to review potential issues. Discontinuing the use of preemptive and retroactive vetoes would not impinge on EPA's authority to veto projects *within* the permitting process, when merited, after review of environmental impacts and scientific records. However, it would avoid prejudgments and provide needed regulatory certainty for applicants as they look to invest in our state.

Clean Power Plan

The previous administration agreed to exempt Alaska from the final "Clean Power Plan" due to the lack of applicable data and the recognition of the unique circumstances faced by our state. As

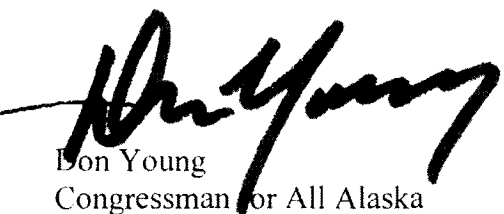
you consider the future of this sweeping regulatory regime, it is paramount that Alaska remain exempt. One-size-fits-all standards do not work in Alaska, because only a small portion of our state, the Railbelt region, has an electric grid. Much of Alaska relies on village-scale microgrids powered by diesel generators, and no standard developed for the interconnected grid of the contiguous states could ever properly be applied to Alaska.

CERCLA 108(b)

EPA's proposed rule "Financial Responsibility Requirements Under CERCLA § 108(b) for Classes of Facilities in the Hardrock Mining Industry," is redundant and unnecessary. There are already well-established, modern financial assurance requirements in place at both the state and federal levels. The U.S. Small Business Administration Office of Advocacy has strongly recommended that EPA withdraw its proposed rule. The Bureau of Land Management and the U.S. Forest Service have also expressed concerns with its infringement into their respective jurisdictions and its duplicative nature. The delegation requests that you closely review the proposed rule and consider requesting an extension of the court-ordered deadline if necessary. As noted previously, we appreciate that you have already extended the comment period for this complex and highly technical proposal, and are eager to work with you to ensure that federal regulations do not further weaken our nation's mineral security.

Thank you for your consideration of the many challenges facing our state. We urge you to reject the top-down, paternalistic approach that marked EPA's approach in Alaska in the last administration and ask you to avoid the layering of overlapping and duplicative rules that serve primarily to undermine Alaskans' ability to provide for their families. We welcome your leadership and look forward to working with you and with the new administration to address these and related issues.

Sincerely,

		
Lisa Murkowski United States Senator	Dan Sullivan United States Senator	Don Young Congressman for All Alaska

PETE SESSIONS
32ND DISTRICT, TEXAS

CHAIRMAN
COMMITTEE ON RULES

COMMITTEE ON
FINANCIAL SERVICES
(ON LEAVE)



Congress of the United States
House of Representatives

March 30, 2017

2233 RAYBURN HOUSE OFFICE BUILDING
WASHINGTON, DC 20515-4332
TELEPHONE: 202.225.2231
FAX: 202.225.5878

LAKESIDE SQUARE
12377 MERIT DRIVE
SUITE 750
DALLAS, TEXAS 75251-2224
TELEPHONE: 972.392.0505
FAX: 972.392.0615
sessions.house.gov

Administrator Scott Pruitt
United States Environmental Protection Agency
1200 Pennsylvania Avenue, NW
Washington, DC 20460-0001

Administrator Pruitt,


I am writing on behalf of (b) (6), a constituent and close friend of mine who is interested in serving the Environmental Protection Agency as the Region 6 Director (b) (6).


(b) (6) (b) (6)

I believe she would be a true asset to the EPA and the Trump Administration. (b) (6) brief CV is attached to this letter and includes an impressive and broad list of board positions and professional positions. I trust that you will be very impressed with her extensive accomplishments.

I would highly recommend (b) (6) as Region 6 Director for the EPA and ask that you closely review her CV and consider her for the position. I can be reached directly at (b) (6) or (b) (6) if you have any questions. Thank you for consideration of this recommendation and your service to our nation.

Sincerely,


Pete Sessions
Member of Congress

Scott:
Thank you!
I am willing
to work together


(b) (6)



(b) (6)



(b) (6)



